

JMT

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF CALIFORNIA

FILED

UNITED STATES OF AMERICA,

Plaintiff,

v.

Bardo PRECIADO-Camarena,

Defendant

Magistrate Docket No. 08 MJ 0010

COMPLAINT FOR VIOLATION OF:Title 8, U.S.C., Section 1326  
Deported Alien Found in the  
United States

The undersigned complainant, being duly sworn, states:

On or about **December 31, 2007** within the Southern District of California, defendant, **Bardo PRECIADO-Camarena**, an alien, who previously had been excluded, deported and removed from the United States to **Mexico**, was found in the United States, without the Attorney General or his designated successor, the Secretary of the Department of Homeland Security (Title 6, United States Code, Sections 202(3) and (4), and 557), having expressly consented to the defendant's reapplication for admission into the United States; in violation of Title 8 United States Code, Section 1326.

And the complainant further states that this complaint is based on the attached statement of facts, which is incorporated herein by reference.



SIGNATURE OF COMPLAINANT

James Trombley  
Senior Patrol Agent

SWORN TO BEFORE ME AND SUBSCRIBED IN MY PRESENCE, THIS **2nd** DAY OF **JANUARY 2008**


Cathy A. Bencivengo  
UNITED STATES MAGISTRATE JUDGE

## CONTINUATION OF COMPLAINT:

**Bardo PRECIADO-Camarena****PROBABLE CAUSE STATEMENT**

On December 31, 2007, Border Patrol Agent M. Saclarides was performing line watch duties in the Campo, California area of responsibility. Agent Saclarides was working near an area located approximately 18 miles east of the Tecate, California Port of Entry and approximately 5 miles north of the U.S./Mexico International Boundary. At approximately 7:40 p.m., Agent Saclarides responded to a citizen report at the Golden Acorn Casino about a group of people that appeared to be disoriented and or lost. The Golden Acorn Casino is located in Campo, California.

Upon arrival, Agent Saclarides encountered a total of 11 individuals in the vicinity of the casino. A few yards away from the group, Agent R. Waasdorp who was also assisting Agent Saclarides encountered two more individuals. Agent Saclarides immediately identified himself as a U.S. Border Patrol Agent and questioned all of the subjects as to their citizenship and immigration status, including one later identified as the defendant **Bardo PRECIADO-Camarena**. All subjects including the defendant freely admitted to being citizens and nationals of Mexico illegally present in the United States. All thirteen subjects were arrested and transported to the Campo Border Patrol Station for processing.

Routine record checks of the defendant revealed an immigration history. The defendant's record was determined by a comparison of his immigration record and the defendant's current fingerprint card. Official immigration records of the Department of Homeland Security revealed the defendant was previously deported to **Mexico on November 30, 2007 through San Ysidro, California**. These same records show that the defendant has not applied for permission from the Attorney General of the United States or his designated successor, the Secretary of the Department of Homeland Security, to return to the United States after being removed.

The defendant was advised of his Miranda rights. The defendant stated that he understood his rights and was willing to answer questions without an attorney present. The defendant admitted that he is a citizen and national of Mexico. The defendant further admitted that he had been previously deported from the United States. The defendant also stated that he has never applied or requested permission to re-enter the United States legally.